

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

IRIS KITCHEN,

Plaintiff,

vs.

DEVELOPMENTAL SERVICES OF  
NEBRASKA, INC., AUTISM CENTER OF  
NEBRASKA, INC., and OMNI  
BEHAVIORAL HEALTH,

Defendants.

**8:20CV08**

**ORDER**

Plaintiff has filed a document captioned “Motion and Notice to Proceed with Deposition.” ([Filing No. 81](#)). As previously noted, a party must obtain leave of court to take a deposition if the parties have not yet conferred as required by Fed. R. Civ. P. 26(f). See Fed. R. Civ. P. 30(a)(2)(A) (“A party must obtain leave of court . . . if the parties have not stipulated to the deposition and . . . the party seeks to take the deposition before the time specified in Rule 26(d)’’); Fed. R. Civ. P. 26(d)(1) (“A party may not seek discovery from any source before the parties have conferred as required by Rule 26(f)[.]’’); see also NEGenR [1.3](#)(g) (“[P]arties who proceed pro se are bound by and must comply with all local and federal procedural rules.”) The Court has now set a new deadline for the parties to meet and confer and file a jointly prepared report pursuant to Fed. R. Civ. P. 26(f). See [Filing No. 82](#). Once the parties jointly prepare and file that report, they may commence with discovery and depositions in accordance with this district’s local rules and the Federal Rules of Civil Procedure. Accordingly,

**IT IS ORDERED** that Plaintiff’s Motion and Notice to Proceed with Deposition ([Filing No. 81](#)) is denied.

Dated this 4<sup>th</sup> day of May, 2021.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge